

IN THE UNITED STATES DISTRICT COURT  
OF ROCK ISLAND, ILLINOIS

PETITION FOR FEDERAL TORT CLAIM ACT (FTCA):  
[28 U.S.C. §§ 1346(b), 2401(b), 2671, et seq.]

Mr. Cedric J. Smith

Cedric J. Smith  
(enter full names of each plaintiff(s))

v.

United States Attorney General

Eric Holder, U.S. Marshal Service

et al.,

(enter full names of each defendant(s))

Case No. 14-0048-MJR  
To be supplied by  
clerk of court

\*\*\*\*\*

- I. HAVE YOU BEGUN OTHER LAWSUITS IN FEDERAL COURT DEALING WITH  
THE SAME FACTS INVOLVED IN THIS ACTION? YES ( ) NO (☒)

If your answer is YES, describe the former lawsuit in the space provided below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- II. DID YOU PRESENT THE FACTS RELATING TO YOUR COMPLAINT TO THE  
STATE INMATE GRIEVANCE PROCEDURE? YES ( ) NO (☒)

If your answer is YES:

1. What steps did you take? I filed a Tort claim
2. What was the result? (Attach copies of grievances or other supporting documentation.)  
I was denied and informed to proceed to court

REVISED DATE: 09/2001

**VERIFIED STATEMENT**

I have been advised of the requirements regarding exhaustion of administrative remedies and now submit this verified statement.

(Please choose the box that applies to your action):

           There are no grievance procedures at the correctional facility at which I am being confined.

This cause of action arose at U.S. District Court, Rock Island Ill. and I am now being housed at Butner II, North Carolina, B.O.P.. Therefore, I do not believe I have administrative remedies relating to this complaint at this time.

See - I have exhausted my administrative remedies relating to this complaint and have attached copies of grievances demonstrating completions.  
Attachment

**III. PARTIES:**

In Item "A" below, place your name in the first blank and your present address in the second blank. Do the same for additional plaintiffs, if any. NOTE: ALL PLAINTIFFS LISTED IN THE CAPTION ON THE FIRST PAGE SHOULD BE LISTED IN THIS SECTION.

A. Name of Plaintiff: Cedric J. Smith  
Name of Present Confinement Butner II - Federal Correctional Institution  
Address of Present Confinement P.O. Box 1500 Butner, NC 27509

In Item "B" below, place the full name of defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item (C) through (F) for additional defendants. NOTE: ALL DEFENDANTS LISTED IN THE CAPTION ON THE FIRST PAGE SHOULD BE LISTED IN THIS SECTION.

B. Defendant Eric Holder  
Position Attorney General  
Employed at U.S. Dept. of Justice  
Address Washington, DC  
Capacity in which being sued: Individual ( ) Official (☒) Both ( )

C. Defendant United States Marshals Service  
Position U.S. Marshal  
Employed at USMS employee, Room 127 East St. Louis, Illinois 62201  
Address 750 Missouri, Ave. East St. Louis, Illinois 62201  
Capacity in which being sued: Individual (☒) Official ( ) Both ( )

D. Defendant

REVISED DATE: 09/2001

Position \_\_\_\_\_

Employed at \_\_\_\_\_

Address \_\_\_\_\_

Capacity in which being sued: Individual ( ) Official ( ) Both ( )

E. Defendant \_\_\_\_\_

Position \_\_\_\_\_

Employed at \_\_\_\_\_

Address \_\_\_\_\_

Capacity in which being sued: Individual ( ) Official ( ) Both ( )

F. Defendant \_\_\_\_\_

Position \_\_\_\_\_

Employed at \_\_\_\_\_

Address \_\_\_\_\_

Capacity in which being sued: Individual ( ) Official ( ) Both ( )

**IV. STATEMENT OF CLAIM**

State here as briefly as possible the **FACTS** of your case. Describe how **each** defendant is involved. Include also the names of the other persons involved, dates and places. **DO NOT GIVE ANY LEGAL CITATIONS OR ANY LEGAL ARGUMENTS OR CITE ANY STATUTES.** If you wish to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

Between 08:30 and 10:30 AM Plaintiff was in U.S. Marshal's custody due to indictment submitted against him by Eric Holder. The Plaintiff's attorney, George Taseff, was present and did witness this incident. Due to negligence in maintenance and the failure to repair a broken stool, the Plaintiff while handcuffed was taken into the court house by U.S. Marshals (Names unknown) and was made to sit on a broken stool (which has since been replaced) where plaintiff fell backwards, hitting his head and sustaining irreparable injuries. These injuries caused damage to his cerebrum and he is now suffering paralysis to the left side of his body, speech impediment, cognitive memory problems, severe headaches, pain spasms to his left hip and is left confined to a wheel chair.

REVISED DATE: 09/2001

Because these injuries occurred due to negligent  
maintainence and upkeep by the United States Government and it's  
employees, agents and/or contracts et al.

V. RELIEF SOUGHT BY PRISONER

State briefly exactly what you want the Court to do for you. MAKE NO LEGAL ARGUMENTS. DO NOT CITE CASES OR STATUTES.

Plaintiff is seeking compensation of three (3) million  
dollars due to permanent injuries and suffering sustained as a result  
of the said neglect. The plaintiff further requests medical,  
rehabilitation, future treatment, and expenses to be paid in full,  
that is relateed herein, including all court and legal costs to also  
be paid by the defendant(s).

REVISED DATE: 09/2001

Signed this 8 day of Jan., 2014.

Signature of Plaintiff

Cedric J. Smith (SR)

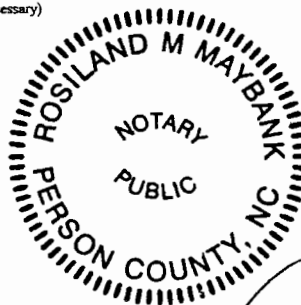
Signature of other Plaintiffs  
(if necessary)

I declare under penalty of perjury that the foregoing is true and correct.

Date

Signature of Plaintiff

Signature of other Plaintiffs  
(if necessary)



Rosiland M. Maybank

1/8/14

Commission  
Expires

10/27/2014